REMARKS

Claims 15, 17, 21, 22, 24 and 28, all the claims in the application, stand rejected on prior art grounds and upon informalities. Applicants respectfully traverse these rejections based on the following discussion.

I. The Prior Art Rejections

Claims 15 and 21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Bhatia, et al. (U.S. Publication No. 2008/0076395), hereinafter referred to as Bhatia, in view of Weaver, et al. (U.S. Patent No. 7,149,504), hereinafter referred to as Weaver. Claims 6 and 20 are rejected under 35 USC 103(a) as being unpatentable over Bhatia in view of Weaver and Shmulevich et al., hereinafter "Shmulevich" (U.S. Patent No. 2001/0036173). Claim 17 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Bhatia, in view of Weaver, in further view of Gourraud (U.S. Publication No. 2002/0026473). Claims 22 and 28 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Bhatia, in view of Weaver, in further view of Gourraud and in further view of Dunko, et al. (U.S. Publication No. 2002/0072347), hereinafter referred to as Dunko. Claims 13 and 27 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Bhatia, in view of Weaver, in further view of Dunko, and in further view of Gourraud. Applicants respectfully traverse these rejections based on the following discussion.

A. The Rejection under Bhatia and Weaver

Bhatia teaches a system and related method for supporting non-intrusive and effective voice communication among mobile users in which voice calls between mobile users are managed based on callee availability, caller-callee relationships, and non-

intrusive information exchange, including interactive exchange at the time of call setup but prior to the call being answered. Callee availability can be based on callee device status, calendar activities, location, past behavior and other factors. The caller-callee relationships specify whether the callee is available, unavailable or on restricted availability relative to the caller. The interactive exchange can be implemented using voice and/or text/graphic displays on caller and callee mobile device. Callees are provided with options for handling the call. Callers are provided with information regarding the callee's current and future availability and willingness to receive a voice call from the caller, thus maximizing the chance of caller reaching the callee on every voice call.

Weaver teaches a method and system for managing location polling intervals is provided. A location determining element will determine a mobile station's current location and will compare the current location to a designated location. Based on the comparison between the current location and the designated location, the location determining element will compute a next time to determine the mobile station's current location. This process will repeat until the mobile station is located at or within a range of the designated location. Once the mobile station is located at or within the range of the designated location, the location determining element will notify a content server, which will provide specific content to the mobile station.

However, the proposed combination of references does not teach or suggest that the server and parlay gateway combination provides unique functionality that is independent of the call processing functionality of remaining elements of the telephone. The Office Action proposes that Gourraud teaches such a feature; however, Gourraud discloses that parlay is a set of object-oriented APIs that have been developed by an industry consortium of telecommunications companies and information technology companies known as the Parlay Group. Gourraud states that Parlay will permit a combination of IP-based application development resources with the extensive capabilities of telecommunications networks. One of Parlay's objectives is to facilitate development of API-based applications across wireless networks, IP-based networks, and

circuit-switched networks such as the Public Switched Telephone Network (PSTN). The Parlay APIs have been developed to provide a common open interface into various types of telecommunications networks and to promote interworking of packet-switched networks and circuit-switched networks.

Gourraud explains that Parlay aims to permit controlled access to various kinds of telecommunications networks in order to permit creation of a wide range of new services, such as, for example, IPMM applications. The Parlay APIs are designed to permit network operators to allow controlled access to network resources by parties outside the network, who are referred to as third-party service providers. Third-party service providers are typically information technology companies that do not have intimate knowledge of telecommunications or the operation of telecommunications networks.

Applications outside a telecommunications network can use the Parlay APIs to access and direct network resources to perform specific actions or functions. This type of access was previously available only to telecommunications network operators. Therefore, Gourraud states that any time a new service was to be implemented, detailed technical and operational involvement of the network operators themselves was necessitated. In contrast, the Parlay APIs aim to allow new services, including third-party applications, to be developed without requiring intimate knowledge of the internal operation of the telecommunications networks on the part of the third-party service providers. While one of the goals of the Parlay Group is to enable a new generation of off-the-shelf network applications and components to be developed by third-party service providers independently of the underlying networks, the complexity of the Parlay APIs renders them, in actuality, better suited for applications developed by telecommunications companies as opposed to third-party service providers.

Gourraud notes that Parlay reuses many IN concepts, because it was initially defined by telecommunications companies. For example, the Parlay APIs currently require third-party service providers to be familiar with the IN call model and to understand operation of IN detection points. Many third-party service providers have

been hesitant to develop Parlay applications due to their lack of familiarity with telecommunications networks and protocols.

However, such discussion does not teach or suggest does not teach or suggest that the server and parlay gateway combination provides unique functionality that is independent of the call processing functionality of remaining elements of the telephone as is claimed.

Further, Bhatia in view of Weaver does not teach or suggest that the parlay gateway comprises a HTTP server, the routing of the telephone call is performed using a service switching point connected to the service node, or that communications between the service switching point and the parlay gateway bypass signaling transfer points.

More specifically, the proposed combination of references does not teach or suggest "wherein said parlay gateway provides unique functionality that is independent of the call processing functionality of remaining elements of said telephone, wherein said parlay gateway comprises a HTTP server, wherein said routing of said telephone call is performed using a service switching point connected to said service node, and wherein communications between said service switching point and said parlay gateway bypass signaling transfer points" as defined by independent claims 15 and 22. Therefore, independent claim 15 and dependent claim 21 are patentable over the prior art of record. In view of the foregoing, the Examiner is respectfully requested to reconsider and withdraw the rejections of claims 15 and 21.

B. The Rejection Based on Bhatia in view of Weaver and Shmulevich

Claims 6 and 20 have been cancelled above, therefore this rejection is rendered moot. In view of the foregoing, the Examiner is respectfully requested to reconsider and withdraw the rejections of claims 6 and 20.

C. The Rejection Based on Bhatia in view of Weaver and Gourraud

Gourraud teaches that application-programming-interface (API) based triggers are included in an API-based system. Information about users associated with specific triggers in a user profile database is downloaded for use during calls. In Gourraud, upon occurrence of predetermined events during the calls, triggers are sent to a service manager. The service manager performs service interaction management in response to the triggers. The trigger information is cached by the service manager in order to minimize network traffic. If no service interaction management is necessary, applications communicate directly with network entities such as, for example, call servers. If service interaction management is necessary, the service manager serves as a proxy between the applications and the network entities.

However, the proposed combination of references does not teach or suggest that the server and parlay gateway combination provides unique functionality that is independent of the call processing functionality of remaining elements of the telephone. The Office Action proposes that Gourraud teaches such a feature; however, Gourraud discloses that parlay is a set of object-oriented APIs that have been developed by an industry consortium of telecommunications companies and information technology companies known as the Parlay Group. Gourraud states that Parlay will permit a combination of IP-based application development resources with the extensive capabilities of telecommunications networks. One of Parlay's objectives is to facilitate development of API-based applications across wireless networks, IP-based networks, and circuit-switched networks such as the Public Switched Telephone Network (PSTN). The Parlay APIs have been developed to provide a common open interface into various types of telecommunications networks and to promote interworking of packet-switched networks and circuit-switched networks.

Gourraud explains that Parlay aims to permit controlled access to various kinds of telecommunications networks in order to permit creation of a wide range of new services, such as, for example, IPMM applications. The Parlay APIs are designed to permit network operators to allow controlled access to network resources by parties outside the network, who are referred to as third-party service providers. Third-party service

providers are typically information technology companies that do not have intimate knowledge of telecommunications or the operation of telecommunications networks.

Applications outside a telecommunications network can use the Parlay APIs to access and direct network resources to perform specific actions or functions. This type of access was previously available only to telecommunications network operators. Therefore, Gourraud states that any time a new service was to be implemented, detailed technical and operational involvement of the network operators themselves was necessitated. In contrast, the Parlay APIs aim to allow new services, including third-party applications, to be developed without requiring intimate knowledge of the internal operation of the telecommunications networks on the part of the third-party service providers. While one of the goals of the Parlay Group is to enable a new generation of off-the-shelf network applications and components to be developed by third-party service providers independently of the underlying networks, the complexity of the Parlay APIs renders them, in actuality, better suited for applications developed by telecommunications companies as opposed to third-party service providers.

Gourraud notes that Parlay reuses many IN concepts, because it was initially defined by telecommunications companies. For example, the Parlay APIs currently require third-party service providers to be familiar with the IN call model and to understand operation of IN detection points. Many third-party service providers have been hesitant to develop Parlay applications due to their lack of familiarity with telecommunications networks and protocols.

However, such discussion does not teach or suggest does not teach or suggest that the server and parlay gateway combination provides unique functionality that is independent of the call processing functionality of remaining elements of the telephone as is claimed. Further, the proposed combination of references does not teach or suggest that the parlay gateway comprises a HTTP server, the routing of the telephone call is performed using a service switching point connected to the service node, or that communications between the service switching point and the parlay gateway bypass signaling transfer points.

More specifically, the proposed combination of references does not teach or suggest "wherein said parlay gateway provides unique functionality that is independent of the call processing functionality of remaining elements of said telephone, wherein said parlay gateway comprises a HTTP server, wherein said routing of said telephone call is performed using a service switching point connected to said service node, and wherein communications between said service switching point and said parlay gateway bypass signaling transfer points" as defined by independent claims 15 and 22.

Therefore, Bhatia in view of Weaver and Gourraud does not teach or suggest the parlay gateway functions in heterogeneous environments and works with different types of service nodes. In view of the foregoing, the Examiner is respectfully requested to reconsider and withdraw the rejection of claim 17.

D. The Rejection Based on Bhatia in view of Weaver, Gourraud, and Dunko

Dunko teaches a system and method of receiving specific information at a mobile terminal from a help server. The mobile terminal sends a request to the help server that includes at least one context sensitive datum. The help server receives the request and obtains a reply based on the context sensitive data. The reply is then sent to the mobile terminal where it is communicated to a user.

As explained above, the proposed combination of references does not teach or suggest that the server and parlay gateway combination provides unique functionality that is independent of the call processing functionality of remaining elements of the telephone. The Office Action proposes that Gourraud teaches such a feature; however, Gourraud discloses that parlay is a set of object-oriented APIs that have been developed by an industry consortium of telecommunications companies and information technology companies known as the Parlay Group. Gourraud states that Parlay will permit a combination of IP-based application development resources with the extensive capabilities of telecommunications networks. One of Parlay's objectives is to facilitate

development of API-based applications across wireless networks, IP-based networks, and circuit-switched networks such as the Public Switched Telephone Network (PSTN). The Parlay APIs have been developed to provide a common open interface into various types of telecommunications networks and to promote interworking of packet-switched networks and circuit-switched networks.

Gourraud explains that Parlay aims to permit controlled access to various kinds of telecommunications networks in order to permit creation of a wide range of new services, such as, for example, IPMM applications. The Parlay APIs are designed to permit network operators to allow controlled access to network resources by parties outside the network, who are referred to as third-party service providers. Third-party service providers are typically information technology companies that do not have intimate knowledge of telecommunications or the operation of telecommunications networks.

Applications outside a telecommunications network can use the Parlay APIs to access and direct network resources to perform specific actions or functions. This type of access was previously available only to telecommunications network operators. Therefore, Gourraud states that any time a new service was to be implemented, detailed technical and operational involvement of the network operators themselves was necessitated. In contrast, the Parlay APIs aim to allow new services, including third-party applications, to be developed without requiring intimate knowledge of the internal operation of the telecommunications networks on the part of the third-party service providers. While one of the goals of the Parlay Group is to enable a new generation of off-the-shelf network applications and components to be developed by third-party service providers independently of the underlying networks, the complexity of the Parlay APIs renders them, in actuality, better suited for applications developed by telecommunications companies as opposed to third-party service providers.

Gourraud notes that Parlay reuses many IN concepts, because it was initially defined by telecommunications companies. For example, the Parlay APIs currently require third-party service providers to be familiar with the IN call model and to understand operation of IN detection points. Many third-party service providers have

been hesitant to develop Parlay applications due to their lack of familiarity with telecommunications networks and protocols.

However, such discussion does not teach or suggest does not teach or suggest that the server and parlay gateway combination provides unique functionality that is independent of the call processing functionality of remaining elements of the telephone as is claimed.

Further, the proposed combination of references does not teach or suggest that the parlay gateway comprises a HTTP server, the routing of the telephone call is performed using a service switching point connected to the service node, or that communications between the service switching point and the parlay gateway bypass signaling transfer points.

More specifically, the proposed combination of references does not teach or suggest "wherein said parlay gateway provides unique functionality that is independent of the call processing functionality of remaining elements of said telephone, wherein said parlay gateway comprises a HTTP server, wherein said routing of said telephone call is performed using a service switching point connected to said service node, and wherein communications between said service switching point and said parlay gateway bypass signaling transfer points" as defined by independent claims 15 and 22.

Therefore, Bhatia in view of Weaver, Gourraud, and Dunko does not teach or suggest the server and parlay gateway combination provides unique functionality that is independent of the call processing functionality of remaining elements of the telephone, wherein the server portion of the server and parlay gateway combination comprises a HTTP server, wherein the routing of the telephone call is performed using a service switching point connected to the service node, and wherein communications between the service switching point and the server and parlay gateway combination bypass signaling transfer points.

In view of the foregoing, the Examiner is respectfully requested to reconsider and withdraw the rejections of claims 22 and 28.

E. The Rejection Based on Bhatia, Weaver, Dunko, and Gourraud

Claims 13 and 27 have been cancelled above, therefore this rejection is rendered moot. In view of the foregoing, the Examiner is respectfully requested to reconsider and withdraw the rejections of claims 13 and 27.

II. Formal Matters and Conclusion

In view of the foregoing, Applicants submit that claims 15, 17, 21, 22, 24 and 28, all the claims pending in the application, are patentably distinct from the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary. Please charge any deficiencies and credit any overpayments to Attorney's Deposit Account Number 09-0469.

Respectfully submitted,
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